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Protection of and assistance to internally displaced persons

Note by the Secretary-General**

The Secretary-General has the honour to transmit to the General Assembly the report of the Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani, submitted in accordance with General Assembly resolution 68/180 and Human Rights Council resolution 23/8.

* A/70/150.

** Late submission owing to the rescheduling of the official mission of the Special Rapporteur to the Philippines.

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Report of the Special Rapporteur on the human rights of internally displaced persons

Summary

The present report outlines the main activities undertaken by the Special Rapporteur on the human rights of internally displaced persons since his last report to the General Assembly.

The thematic section considers positive practices in governance structures and institutional arrangements for preventing and managing responses to the different stages of internal displacement that can be replicated in different situations while being adapted to national and local contexts.

Contents

		Page
I.	Introduction	4
II.	Mandate and activities of the Special Rapporteur	4
	A. Mandate	4
	B. Country visits	4
	C. Cooperation with international and regional organizations	6
	D. Mainstreaming the human rights of internally displaced persons in the United Nations system	6
III.	Governance structures for internal displacement	7
	A. Introduction	7
	B. Governance for prevention, preparedness and mitigation of displacement	12
	C. Governance for assistance to and protection of internally displaced persons	15
	D. Governance to support durable solutions for internally displaced persons	19
IV.	Conclusions and recommendations	24

I. Introduction

1. The present report by the Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani, is submitted in accordance with Human Rights Council resolution 23/8 and General Assembly resolution 68/180.

2. Section II of the report provides an overview of the activities undertaken by the Special Rapporteur since his last report to the Assembly. Section III considers positive practices in establishing governance structures for preventing and responding to the different stages of displacement internal displacement that can be adapted to the given national and local contexts.

II. Mandate and activities of the Special Rapporteur

A. Mandate

3. The Human Rights Council, in its resolution 23/8, mandated the Special Rapporteur to address the complex problem of internal displacement, in particular by engaging in coordinated international advocacy and action for improving protection of and respect for the human rights of internally displaced persons; continuing and enhancing dialogue with Governments, intergovernmental, regional and non-governmental organizations and other relevant actors; working towards strengthening the international response to internal displacement; and mainstreaming the human rights of internally displaced persons into all relevant parts of the United Nations system.

B. Country visits

4. Since his last report to the General Assembly (A/68/225), the Special Rapporteur undertook official and working visits to Ukraine (A/HRC/29/34/Add.3), the Central African Republic, Iraq, the Syrian Arab Republic and the Philippines.

Central African Republic

5. The Special Rapporteur visited the Central African Republic from 10 to 14 February 2015, on a joint mission with the Assistant Secretary-General of the Office for the Coordination of Humanitarian Affairs and the Director of Operations of the Humanitarian Aid and Civil Protection department of the European Commission. The delegation was joined by the Independent Expert on the situation of human rights in the Central African Republic.

6. At that time, some 500,000 persons remained internally displaced. He stressed that their plight deserves concerted international attention and that the tragic humanitarian situation must not be forgotten. The delegation witnessed many internally displaced persons, in particular from minority and nomadic groups, who remained trapped by the continued violence and were living in precarious and desperate conditions. The Special Rapporteur emphasized that no one should be prevented from moving to safe locations best suited to their protection needs and that their choices must be respected.

Iraq

7. The Special Rapporteur conducted an official visit to Iraq from 9 to 15 May 2015. He travelled to Baghdad and Erbil to consult with national and regional government representatives and other stakeholders. In his preliminary findings he called on the Government to devote greater resources, planning and attention to the needs of nearly 3 million internally displaced persons. Given the volatile conflict situation, new waves of displacement are likely, requiring preparedness measures which protect the rights of internally displaced persons, including their freedom of movement. Internally displaced persons in collective shelters and unfinished buildings live in precarious conditions, often under the threat of renewed displacement, with inadequate shelter, health care, food, water and sanitation. Urgent measures are required to create adequate living conditions and prevent illness and the spread of disease. The needs of the host communities bearing the brunt of the displacement crisis must be addressed. In light of the significant shortfall in humanitarian funding, the international community must be a reliable and long-term humanitarian partner to Iraq.

Syrian Arab Republic

8. The Special Rapporteur visited the Syrian Arab Republic on an official mission from 16 to 19 May 2015. He visited collective shelters in and around Damascus, in Homs and Lattakia. Over 7 million persons are currently internally displaced, and the prospects of new waves of displacement are high given the instability in many localities. Most internally displaced persons are living with host families and communities, which places a heavy burden on them. Three or four years after their displacement, many in collective centres are reliant on humanitarian assistance, lack employment opportunities and have little prospect of returning to their homes. He urged the Government to allow United Nations and other humanitarian actors to operate freely in areas under its control and where security permits, with unhindered access to all locations and internally displaced populations. The current shortfall in humanitarian funding requires urgent action by the international community to bolster support to humanitarian agencies in Syria.

Philippines

9. The Special Rapporteur undertook an official mission to the Philippines from 21 to 31 July 2015 to assess the situation of internally displaced persons in different regions of the country caused by natural disasters, conflict and development projects. He praised the Government for its responses to the massive internal displacement caused by Typhoon Haiyan and the significant progress in providing transitional and permanent homes to those affected and in restoring livelihood opportunities, as well as policies such as "build-back-better" that are aimed at mitigating the effects of future disasters. However, he expressed concern that attention and resources appear to be waning before durable solutions are fully achieved and that some internally displaced persons remain in dire situations. He urged the Government to follow through on its commitments and devote much-needed attention and resources to internally displaced persons until durable solutions are attained and their futures are secured. He equally expressed concern regarding persistent conflict as a cause of displacement in Mindanao and the situation of indigenous peoples affected by conflict and development projects.

Requests for country visits

10. The Special Rapporteur has made or reiterated requests to visit various countries, including Colombia, Honduras, Nigeria and Mexico. He thanks the Governments of those countries that have already agreed to a future visit by the mandate.

C. Cooperation with international and regional organizations

11. The Special Rapporteur engaged closely with the African Union to promote ratification and implementation of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention). In November 2014, as a keynote speaker at the African Union Humanitarian Symposium in Nairobi, he discussed effective humanitarian interventions and assistance in conflict-induced displacement situations. In December 2014, he took stock of and urged greater progress on the Kampala Convention at an event organized by the Permanent Delegation of the African Union to the United Nations Office at Geneva marking the second anniversary of its entry into force. From 18 August to 19 September 2015, he undertook working visits to dialogue with government officials and stakeholders in Kenya, South Sudan, Uganda and Zambia as well as the African Union in Addis Ababa on the implementation of the Kampala Convention. In March 2015, he also engaged with the Inter-American Commission for Human Rights regarding internal displacement issues in the Americas.

12. The Special Rapporteur maintained a strong partnership with civil society organizations, which have played an essential role in supporting his mandate. He appreciates the support provided by the Brookings Institution-London School of Economics Project on Internal Displacement and the strategic partnerships with the Joint IDP Profiling Service, the Danish Refugee Council and the Internal Displacement Monitoring Centre.

D. Mainstreaming the human rights of internally displaced persons in the United Nations system

13. The Special Rapporteur continued to support the mainstreaming of the human rights of internally displaced persons within the United Nations system and the wider humanitarian community, notably by participating actively in the work of the Inter-Agency Standing Committee.

14. In September 2014, he participated in a panel entitled "Durable solutions for post-crisis development" at the second World Reconstruction Conference, organized by the World Bank. He stressed the importance of the involvement of development partners to achieve durable solutions. He shared information on challenges and opportunities encountered in developing durable solutions for post-crisis displacement.

15. In October 2014, the Special Rapporteur participated in an event organized by the United Nations Development Programme and the Office for the Coordination of Humanitarian Affairs, "Durable solutions to displacement in urban settings: the case of Haiti", which provided an opportunity to communicate conclusions and

recommendations from his report to the General Assembly on achieving durable solutions to displacement in urban settings, as well as from his mission to Haiti.

16. He addressed the Security Council in October 2014, in a debate entitled "Women, peace and security: displaced women and girls: leaders and survivors". He stressed that internally displaced women face double discrimination as internally displaced persons and as women, and unique human rights challenges owing to the intersection of gender with other factors such as age, group affiliation, disability and their civil or socioeconomic situations. Responses to internal displacement still do not adequately address the specific concerns of women and girls.

17. The Special Rapporteur welcomes the fact that all regional consultations ahead of the World Humanitarian Summit to be held in Istanbul, Turkey, in May 2016 have concluded that the development and/or implementation of regional conventions on protection of and assistance to internally displaced persons was a necessity. He attended two regional consultations in 2015, the Middle East and North Africa regional consultation in March and the Latin America and the Caribbean regional consultation in May. He stressed the necessity of adopting regional instruments and national laws and policies on internal displacement and urged more effective partnerships to respond to emergency needs in urban areas. He plans to work with relevant actors in regions such as Latin America and Asia and the Pacific to promote such instruments.

III. Governance structures for internal displacement

A. Introduction

18. For the third consecutive year, a record number of persons were displaced within their own country. As of December 2014, 38 million persons were internally displaced worldwide by armed conflict, human rights violations and generalized violence;[1] an additional 19.3 million were internally displaced by disasters.[2] Protracted displacement situations have become the new normal; according to the Internal Displacement Monitoring Centre, the experience of conflict-induced displacement lasts an average of 17 years.[3] These shocking statistics signal both our collective failure to protect civilians from forced displacement and our inability to respond in the longer term to the plight of internally displaced persons and their right to be provided with durable solutions.

19. As stated in the Guiding Principles on Internal Displacement, national authorities bear the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons within their jurisdiction (principle 3). This underscores that authorities at all levels — national and local — must show leadership in dealing with internal displacement issues, notably by being proactive and having adequate governance structures in place to better prevent, mitigate and respond to internal displacement crises. However, in many instances,

[1] Internal Displacement Monitoring Centre and Norwegian Refugee Council, *Global Overview 2015: People Internally Displaced by Conflict and Violence* (Geneva, 2015).

[2] Internal Displacement Monitoring Centre and Norwegian Refugee Council, *Global Estimates 2015: People Displaced by Disasters* (Geneva, 2015).

[3] See www.internal-displacement.org/blog/2014/a-record-33-3-million-now-displaced-by-conflict-and-violence-worldwide-as-one-family-flees-inside-syria-every-60-seconds.

there is a lack of clarity as to which institutions are mandated to deal with internal displacement, what their roles and responsibilities are, as well as the actions necessary to address the issue appropriately.

20. Internal displacement crises are challenging for authorities at all levels and can quickly become overwhelming when numbers are growing and resources are stretched thin. Effective governance structures are essential to ensure systematic, coordinated and human rights-based responses to internal displacement. The present report serves as a guidance tool to support States in preventing as well as responding in more coordinated, effective and sustainable ways to internal displacement. It is informed by international standards, country visits undertaken by the Special Rapporteur and previous reports by the mandate. It is not a one-size-fits-all model, but offers a blueprint for good governance structures and practices that could be adapted and employed in different situations according to national and local contexts.

21. Displacement, whether as a result of conflict, violence or disaster, is often difficult or impossible to predict. Some countries or Governments have rarely or never experienced mass displacement of populations and so are taken by surprise by displacement events and lack the capacity to respond with appropriate procedures, policies and institutions. Those countries that have frequently experienced displacement as a result of disasters, for example, should be better placed to respond, having already understood the need for systems and procedures to be in place. Much can be learned from those countries in the management of displacement crises.

22. Good governance entails timely and coordinated responses by clearly identified, appropriately qualified and properly equipped and funded bodies. Good governance is a prerequisite for effective prevention of and responses to displacement. Where there is inadequate governance, or none at all, any responses are likely to be ad hoc and uncoordinated, the resources allocated are likely to be inadequate and little or no provision is made by national authorities, leaving internally displaced persons to fend for themselves or rely on non-governmental and international humanitarian responses. With good governance in place, responses are timely, coordinated across all relevant and required actors and effective in meeting the needs and protecting the rights of internally displaced persons.

23. While different phases of a displacement situation require different responses and actions by a diversity of actors, key cross-cutting elements can be identified to ensure appropriate and timely responses. Leadership is essential and should be assumed at a senior level, for example under the Office of the Prime Minister, in order to give the appropriate level of attention and priority to responses. Legal, policy and financial frameworks should be established at the earliest opportunity to provide a legal basis for action and guidance to all actors, with appropriate budgets in place. Coordination and identification of responsibility are essential at an early stage and should be clearly explained to all responders, including with regard to coordination at the national, regional and local levels. Numerous actors, including national human rights institutions and non-governmental organizations, have a role to play in all phases of displacement, by raising awareness on displacement issues and having an advisory role, by collecting data and information and by monitoring the human rights situation and ensuring that the rights of internally displaced persons are respected.

24. Good governance requires the gathering and coordination of expertise, both national and, where necessary, international, to respond rapidly to a displacement situation. The gathering, monitoring and sharing of information is critical for all actors to respond appropriately and to understand the dynamics and dimensions of displacement at the earliest stage. This includes information on who is displaced, how many people are involved, where they went and why and what their immediate needs are. Good governance requires technical awareness and for that awareness to be widely disseminated to responders. Not least, governance of displacement requires an understanding of the human rights of internally displaced persons, including the right to be consulted about decisions affecting them and to participate in solutions intended for them.

25. In his last report to the Human Rights Council (A/HRC/29/34), the Special Rapporteur stressed the need to include internally displaced persons in the post-2015 development agenda and the sustainable development goals. Recognizing that displacement crises, especially long-lasting ones, are not only a humanitarian but also a development challenge, he emphasized that national authorities must include internally displaced persons in their own development agendas and programmes to ensure durable solutions.

26. All responses to internal displacement must recognize the particular dynamics of displacement and the profile of those displaced. In situations of conflict or violence, ethnic or religious minorities may be particularly affected and, consequently, the principles of equality and non-discrimination must be respected at all stages of the response and by all actors. Certain groups may be particularly vulnerable both during displacement and in displacement locations, including women and girls, children, older persons, persons with disabilities and the chronically ill. Responses must be sensitive to their needs and measures put in place to address specific protection concerns, including the need to protect women and girls from sexual violence (A/HRC/23/44).

27. The State may be less able to predict displacement in conflict- or violence-induced situations. It must also be acknowledged that in some cases the State may be complicit in causing displacement, for instance by denying legal status to certain minority groups, leaving them stateless and extremely vulnerable, or by perpetrating or supporting violence against certain population groups. The State may not always be a reliable or consistent actor or partner in responding to displacement. It then falls on the international community to consider the responses afforded by principles of international law and the Charter of the United Nations. In situations of conflict or violence, good governance is essential to ensuring the safety of displaced persons at risk.

28. The Special Rapporteur notes that there are overarching principles and actions that should be taken into account at every stage of displacement and which should guide any response to internal displacement.

National legal and policy frameworks

29. The Special Rapporteur has addressed extensively the need for States to adopt comprehensive national instruments to respond to internal displacement, notably through his country visits and previous reports to the Human Rights Council (see, e.g., A/HRC/26/33 and Corr.1 and A/HRC/29/34). He also stresses that a number of publications provide valuable guidance for developing national instruments on

internal displacement, distilling years of lessons learned and good practices. These include a manual for law- and policymakers[4] and a guide on the development of national instruments[5] published by the Brooking Institution and a handbook on internal displacement for parliamentarians issued by the Inter-Parliamentary Union (IPU) and the Office of the United Nations High Commissioner for Refugees (UNHCR).[6]

30. Over 25 countries so far have adopted specific national instruments on internal displacement. National instruments such as legal and policy frameworks are essential tools for strengthening domestic responses to internal displacement and establishing in law a set of common principles and guidance for all stakeholders, including internally displaced persons themselves, whose rights should be clearly articulated. As stated in *National Instruments on Internal Displacement*: "If properly implemented, a coherent national instrument that clearly allocates responsibilities within the government can build trust and confidence in its actions."

31. Not only must legal and policy frameworks be put in place, but they must be appropriately resourced and implemented in practice. Following his official visit to Iraq in May 2015, the Special Rapporteur highlighted the fact that the valuable Iraqi National Policy on Displacement, formulated by the Ministry of Displacement and Migration in 2008 with national and international partners, was not being implemented in practice and did not currently represent an effective basis for government action. He noted that government responses were consequently ad hoc and that it was vital to update the existing policy and to implement it nationally, with budgets in place and with more effective governance and response structures and institutions to help guide and regulate government action at the national and regional levels.

32. National instruments are critical in guaranteeing effective cooperation and coordination between all stakeholders. National instruments facilitate tailored responses to specific displacement contexts by setting out the State's priorities and activities in support of internally displaced persons and laying out the roles and responsibilities of each ministry or agency with a sectoral interest in internally displaced persons. National instruments should fully incorporate the Guiding Principles and regional instruments to which the country is a party, such as the Kampala Convention, while tailoring them to fit the national and local situation.

33. Following his visit to Ukraine in September 2014, several provincial governments and civil society organizations involved in the response to the displacement crisis caused by conflict in Eastern Ukraine expressed concern that the lack of a law and policy on internal displacement was seriously hampering their responses. A law would clarify the rights of internally displaced persons, establish institutional responsibility, inform policy and programming decisions and, crucially, provide a legal basis for provision of funds at the national and regional levels. The

[4] Brookings-Bern Project on Internal Displacement, *Protecting Internally Displaced Persons: A Manual for Law and Policymakers* (Washington, D.C., Brookings Institution, 2008).

[5] Internal Displacement Monitoring Centre, Norwegian Refugee Council and Brookings Institution-London School of Economics Project on Internal Displacement, *National Instruments on Internal Displacement: A Guide to their Development* (Washington, D.C., Brookings Institution, 2013).

[6] *Internal Displacement: Responsibility and Action*, Handbook for Parliamentarians No. 20 (Geneva, 2013).

parliament of Ukraine adopted a law on the rights and freedoms of internally displaced persons on 20 October 2014.

Adequate resources

34. Good governance requires investment, in terms of both financial and human resources, on the part of the State. For displacement governance structures to be fully operational, a specific budget must be made available, enshrined in law and earmarked specifically for the response to internal displacement. Only if these structures have sufficient funding and have the necessary human resources with expertise on issues related to internal displacement will the response be effective. During his mission to Ukraine, the Special Rapporteur was informed by regional authorities that their financial resources were inadequate to support the immediate and longer-term needs of internally displaced persons and that the legal requirements governing their budgets restricted the use of those funds for the provision of services to internally displaced persons (A/HRC/29/34/Add.3).

35. While national financial resources may be limited or dedicated to other priorities, Governments must fund displacement responses to the best of their ability. In Azerbaijan, the Special Rapporteur noted that a certain percentage of oil revenues is guaranteed for assistance to internally displaced persons (A/HRC/29/34/Add.1). Following his visit to Iraq in May 2015, noting funding shortfalls, he encouraged the Government to consider setting up similar national oil revenue-based funds to assist internally displaced persons during the emergency phase as well as longer-term support to achieve durable solutions.

36. Authorities must also ensure that personnel working on internally displaced persons issues receive adequate training, are sensitized to internally displaced persons' specific needs, including those of particularly vulnerable persons, and are able to respond in a timely way to the concerns of those affected. It is essential that law enforcement and frontline and administrative officials receive training to ensure that they meet international standards when dealing with internally displaced persons. Gender-specific training should also be provided to ensure that the specific rights and protection needs of internally displaced women and girls are responded to in the best possible manner.

Consultation with and participation of internally displaced persons

37. At all stages of displacement, responses must involve full consultation with and meaningful participation of internally displaced persons and other displacement-affected communities, including when formulating policy frameworks and programmes. Internally displaced persons must not be considered simply as passive beneficiaries but as full stakeholders in the design, implementation and monitoring of responses. Internally displaced persons' voices, including those of women and particularly vulnerable groups, must be heard. Internally displaced persons must be consulted on any decision affecting them and consultative bodies and processes must be established as part of displacement governance. This is imperative to ensure protection of the rights of internally displaced persons, for example, their right to freely choose whether to return to their homes or find durable solutions in a location of their choice. During his country visit to Georgia in June 2013, the Special Rapporteur welcomed the active participation of civil society representatives in the formulation of the State strategy on internally displaced

persons, adopted in 2007. He nevertheless noted that the Government should provide internally displaced persons with better information and consult them systematically (A/HRC/26/33/Add.1).

Data and profiling

38. The Special Rapporteur has consistently called for better data and profiling of internally displaced persons. Figures on internally displaced persons tend to vary according to the source, owing to such factors as data-gathering and registration discrepancies and, in some cases, the desire on the part of Governments to distort the extent of displacement. He stresses that registration, profiling and needs assessment exercises are essential in responding effectively to the needs of internally displaced persons. Information such as who is displaced and where, their profile and specific needs, as well as surveys of intent that reveal their desires, are all critical to address their situations in the most suitable way.

39. The following sections describe some of the challenges and positive practices in the governance and management of internal displacement at different phases.

B. Governance for prevention, preparedness and mitigation of displacement

40. According to the Guiding Principles, "all authorities and international actors shall respect and ensure respect for their obligations under international law, including human rights and humanitarian law, in all circumstances, so as to prevent and avoid conditions that might lead to displacement of persons" (principle 5). Furthermore, "States are under a particular obligation to protect against the displacement of indigenous peoples, minorities, peasants, pastoralists and other groups with a special dependency on and attachment to their lands" (principle 9). These principles underline States' obligations to take preventive measures to avoid displacement. However, States often lack adequate governance structures to prevent, prepare for and mitigate the consequences of internal displacement before the onset of a displacement crisis.

41. As emphasized in a study on assessing national responses to internal displacement published by the Brookings Institution and the London School of Economics, "preventing displacement is the most important step that a government can take in exercising its responsibility to protect internally displaced persons. Yet it also is probably the most difficult and the least likely to be taken, both by national authorities and by the international community."[7] While displacement can be difficult to predict, authorities at all levels must be more proactive and innovative, notably by devoting more resources to prevention mechanisms and to mitigation and adaptation measures where displacement is foreseeable or inevitable.

1. Monitoring mechanisms and early warning systems

42. Causes of displacement are manifold, and in some situations they are not clear-cut but overlap. States can benefit from putting in place monitoring and early warning systems to help prevent displacement. Specialized monitoring bodies can

[7] Elizabeth Ferris, Erin Mooney and Chareen Stark, *From Responsibility to Response: Assessing National Approaches to Internal Displacement* (Washington, D.C., 2011).

collect data and carry out risk assessments to map potential displacement threats. In countries where displacement has already taken place, trends and patterns can be recurrent and new internal displacement events can potentially be foreseen. These bodies can alert the Government and other actors of the likelihood of displacement.

43. National human rights institutions, as independent human rights actors, have an essential role to play in preventing conflict-induced displacement and development-induced displacement in particular. One of the roles of national human rights institutions is to closely monitor the human rights situation and, in many cases, human rights violations precede and can trigger waves of internal displacement. In countries where displacement has already taken place and is likely to occur again, for example, countries vulnerable to cyclical disasters or where political instability or conflict has been ongoing for some time, national human rights institutions are valuable in preventing, preparing for and mitigating the consequences of renewed internal displacement.

44. The Kenya National Commission on Human Rights has been active in displacement issues since becoming operational in 2003 (A/HRC/19/54/Add.2). It established regional offices and field monitors and has the responsibility, inter alia, to investigate allegations of human rights violations against internally displaced persons, to advocate on their behalf and to monitor the situation of internally displaced persons living in different settings. As co-chair of the National Protection Working Group on Internal Displacement, the Kenya National Commission on Human Rights played a major role in advocating for the development and adoption of an national policy on internally displaced persons policy.

45. In Colombia, an early warning mechanism was introduced in 2002, under the Office of the Ombudsman. This system was created to monitor conditions that could trigger conflict-induced displacement, human rights violations or other type of violence. When an imminent risk is detected, the Office of the Ombudsman sends a report to the Inter-Ministerial Committee for Early Warning, which would make the final decision whether to issue an early warning notice.[8] However, while the practice is a good one, the Inter-Ministerial Committee has reportedly failed to respond quickly and effectively enough to reports issued by the Office of the Ombudsman warning of displacement.

46. The role of national human rights institutions in prevention can be enhanced if there is an internally displaced persons focal point or a specific unit dealing with internal displacement issues. An internally displaced persons focal point can be responsible for raising awareness of displacement issues and the applicable international and regional standards and for training government officials and other actors to ensure that they understand their obligations under international human rights and humanitarian law, including in relation to specific vulnerable groups. As independent bodies, national human rights institutions are essential channels of communication between authorities and rights holders and can reach out to communities and inform them of their rights, register individual complaints and investigate specific cases so that perpetrators of violations are held accountable.

47. Establishing mediation mechanisms at the community level within diverse or conflict-affected communities can be useful in working towards the prevention of conflict- or violence-induced displacement. While visiting South Sudan in

[8] Ibid.

November 2013, the Special Rapporteur called on the authorities to explore different means to prevent intercommunal violence, including local peace committees, effective policing, grass-roots reconciliation initiatives, awareness-raising and re-establishment of pastoral governance systems and a system of game rangers to deal effectively with cattle raiding (A/HRC/26/33/Add.3).

2. Disaster risk reduction and management systems

48. Disaster risk reduction is defined as "the conceptual framework of elements considered with the possibilities to minimize vulnerabilities and disaster risks throughout a society, to avoid (prevention) or to limit (mitigation and preparedness) the adverse impacts of hazards, within the broad context of sustainable development".[9] It has a direct link with prevention of internal displacement due to both sudden and slow-onset disasters. As underlined in the Sendai Framework for Disaster Risk Reduction 2015-2030, adopted at the Third United Nations World Conference on Disaster Risk Reduction, held in Sendai, Japan, in March 2015 and endorsed by the General Assembly in its resolution 69/283, "each State has the primary responsibility to prevent and reduce disaster risk" and "disaster risk reduction requires that responsibilities be shared by central Governments and relevant national authorities, sectors and stakeholders, as appropriate to their national circumstances and systems of governance". At the national and local levels, States should "promote regular disaster preparedness, response and recovery exercises ... with a view to ensuring rapid and effective response to disasters and related displacement ...."

49. Authorities at all levels can take a number of measures to establish adequate disaster risk reduction and management systems. Some countries have established specific legal and policy frameworks on disaster risk reduction and management with a strong focus on displacement risk. Where disaster risk reduction systems already exist, they should be reviewed to ensure that they adequately integrate displacement issues. Disaster risk reduction and management strategies should also be mainstreamed across government bodies and forums established at the national and local levels to build awareness about disaster risk and disseminate specific information.

50. The Special Rapporteur noted in his report on climate change and internal displacement, "early warning mechanisms can be instrumental in minimizing damage and loss of life, as well as displacement" (A/66/285, para. 49). However, taking the example of the famine in Somalia in 2011 that resulted in waves of displacement and for which an early warning was issued some months before, he noted systemic difficulties for some States and the international community in responding proactively to early warnings to prevent a disaster, even a slow-onset disaster, and minimize its adverse impacts on populations. He reiterates that technical mechanisms such as early warning systems must be combined with strong political will and responsive governance systems that implement preparedness, disaster risk reduction and other adaptation measures in a timely manner.

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[9] United Nations Inter-Agency Secretariat of the International Strategy for Disaster Reduction, *Living with Risk: A Global Review of Disaster Reduction Initiatives, 2004 version*, vol. I, United Nations publication, Sales No. GV.E.03.0.2.

3. Mitigation and preparedness measures

51. Those States with a history of displacement due to disaster or with histories of internal conflict should be proactive and have displacement preparedness measures in place. Where the occurrence of disaster is cyclical, adequate preparedness and mitigation measures must be explored to prepare for potential displacement flows. The Cancun Adaptation Framework, adopted by the Conference of the Parties to the United Nations Framework Convention on Climate Change, held in Cancun, Mexico, in 2010, invites Parties "to strengthen and, where necessary, establish and/or designate national-level institutional arrangements, with a view to enhancing work on the full range of adaptation actions, from planning to implementation". These include displacement-related adaptation measures. During his visit to South Sudan, the Special Rapporteur called on the authorities to explore and implement effective disaster risk reduction and mitigation measures, especially in areas prone to repeated disaster (A/HRC/26/33/Add.3).

52. In some cases displacement can be predicted to result from actions taken by Governments, which should therefore put appropriate measures in place. For example, development projects have displaced millions of people in all regions. Development-induced displacement requires careful management and consultation with the internally displaced persons and other affected communities. However, this is rarely done, resulting in violations of human rights, including forced displacement and violence. International standards must be adhered to, notably the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization, which requires obtaining the free, prior and informed consent of indigenous peoples regarding issues affecting them and their ancestral lands and territories. The basic principles and guidelines on development-based evictions and displacement (A/HRC/4/18, annex I) developed in 2007 by the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living provide valuable guidance to assist States in the development of policy and legislation to prevent forced evictions.

C. Governance for assistance to and protection of internally displaced persons

53. The Government has the primary responsibility, at the national, regional and local levels, to protect and assist all internally displaced persons who fall under its jurisdiction, without discrimination. Once displacement has taken place, appropriate early responses require such elements as rapid provision of appropriate shelter and humanitarian assistance, protection measures to ensure safe and organized transit to secure locations and safety at those locations and mobilization of specialist national personnel, including military, police and civil authorities. The immediate response can be highly challenging and requires the rapid mobilization of multiple resources.

54. In some of the countries visited by the Special Rapporteur, authorities recognized that they had been caught unprepared by internal displacement and that it took them some time to put adequate institutional arrangements in place to respond to the needs. The first few days and weeks of a displacement crisis are critical and time could more profitably be used if countries already have effective structures in place. In the following paragraphs the Special Rapporteur analyses, on the basis of information gathered in different displacement situations, good

practices in governance structures put in place to assist internally displaced persons in emergency situations.

1. Designation of a national institutional focal point

55. The response by national authorities to internal displacement would benefit from the appointment or establishment of an institutional focal point to take the lead in coordinating responses to internal displacement. Such a focal point could take the form of a dedicated ministry, department, agency or other expert body and would have the authority to oversee the national and local responses, supervise all efforts and ensure coordination with relevant authorities while avoiding duplication. Establishing the focal point at the most senior level, for example under the Office of the President or Prime Minister, would give the necessary authority, resources and political weight to its activities.

56. States that have ratified the Kampala Convention are explicitly required, under article 3, to designate an authority or body, where needed, responsible for coordinating activities aimed at protecting and assisting internally displaced persons and assign responsibilities to appropriate organs for protection and assistance, and for cooperating with relevant international organizations or agencies, and civil society organizations, where no such authority or body exists.

57. The Special Rapporteur notes that the lack of such an institutional focal point has a direct impact on the response of national authorities to the displacement crisis, ultimately affecting the internally displaced persons themselves. Duplication of tasks, lack of communication between different bodies and the lack of a common understanding of who is doing what and where could severely undermine collective efforts to respond to the situation. As the central body under which all other bodies and agencies operate, the focal point has a holistic view of the response and can ensure smooth management of a crisis which can quickly become overwhelming when no coordination mechanism exists.

58. The governmental focal point could be responsible for co-chairing an inter-agency or inter-ministerial committee on internal displacement issues to ensure that the specific needs and rights of internally displaced persons are included in the sectoral laws, policies, plans and programmes of relevant ministries at the national and local levels. As the official voice of the Government on displacement issues, the institutional focal point would also be the key interlocutor with the international community and other stakeholders and would participate in relevant meetings of international agencies.

59. In Kenya, the Ministry of State for Special Programmes was designated as the institutional focal point responsible for internal displacement issues, including the resettlement of internally displaced persons and the coordination of disaster risk reduction programmes during the 2007/08 post-election violence. However, on his follow-up mission to Kenya in June 2014, the Special Rapporteur found that the Ministry of Devolution had been established instead as the institutional focal point for internally displaced persons under the new Constitution of 2010 while the former Ministry of State for Special Programmes became the Department of Social Programmes within the Ministry of Devolution.

60. The role of the focal point could also include developing a consolidated information management system to coordinate the collection of relevant information

on the displacement situation, mapping and tracking the movements of the displaced populations from the onset of the emergency until the achievement of a durable solution and ensuring a continuous flow of information between actors involved in the response. The focal point should also have overall responsibility for ensuring timely identification, registration and profiling of internally displaced persons, in close collaboration with other national bodies and, where necessary, United Nations agencies and other international organizations involved in the humanitarian response.

61. The national institutional focal point has the critical role of planning, managing and coordinating protection-related activities and programmes, including the provision of immediate relief and assistance. While delivery of services on the ground will fall to other designated implementing actors, having an institutional focal point as the sole entity responsible for supervising all the efforts is critical.

2. Establishment of inter-agency mechanisms

62. States could consider establishing an inter-ministerial or inter-agency committee responsible for ensuring a common understanding at the inter-ministerial level of the internal displacement situation, including the challenges facing the different ministries in terms of immediate response and potential obstacles to durable solutions. Such a committee or similar structure should have clearly defined roles, functions, responsibilities and channels of communication in relation to the institutional focal point. The institutional focal point has a political and supervisory role whereas the inter-agency body represents the operational side of the response.

63. Such a body could coordinate at the national level the responsibilities of each line agency or ministry. It would also be responsible for maintaining a clear division of institutional roles and responsibilities between government bodies. This body should be composed of representatives of different ministries with sectoral responsibilities for internally displaced persons, key national and international agencies and representatives of internally displaced persons. Such mechanisms are essential to ensure holistic, cross-agency responses that recognize, for example, the important relationship between housing and employment and livelihood, which requires cooperation across agencies.

3. Role of line ministries and other bodies with sectoral responsibilities towards internally displaced persons

64. When responding to the needs of internally displaced persons, a number of key ministries are directly concerned as they have sectoral responsibilities. These ministries should be involved in the response from the very onset of the emergency and should be represented in any inter-agency mechanism where their role should be discussed in relation to their sectoral counterparts. During his country visits, the Special Rapporteur has met with line ministries that have direct links to the humanitarian response and are key interlocutors when it comes to the provision of assistance, such as ministries of health, education, labour, social affairs, women's affairs, internal affairs and defence.

65. Each relevant ministry and body must increase its focus on and allocate dedicated resources to the specific needs of internally displaced persons. Line ministries should work in coordination with the institutional focal point and the inter-agency body to implement, according to their mandates, the priorities and

strategies developed by those bodies. Ideally, line ministries will establish their own internal focal points, departments or units with dedicated responsibility for internally displaced persons to ensure that adequate attention, expertise and resources are provided.

66. Line ministries should review their sectoral laws and policies to ensure that they include internally displaced persons and displacement-affected communities, including their specific rights, needs and vulnerabilities, and adapt laws and policies accordingly so that they are appropriately tailored to the situation. These ministries should review their planning and programming under sectoral laws and policies to ensure that internally displaced persons and displacement-affected communities are able to access and benefit from such programmes on an equal basis with the non-displaced populations.

4. Role of local and other subnational authorities

67. In decentralized or devolved systems, subnational, regional and local authorities often play an essential role in responding to internal displacement. These authorities are often the first point of contact with internally displaced persons and are the ones to which internally displaced persons turn first for assistance. It is therefore critical that local authorities be easily identifiable, have clearly defined responsibilities and be fully included in national coordination mechanisms. As the counterpart of national authorities at a specific location and of internally displaced persons communities themselves, local authorities should participate fully in all decision-making.

68. A joint study on internal displacement in the region of the Economic Community of West African States (ECOWAS) found that in decentralized States, "coordination should be vertical as well as horizontal, in the sense that it should not only facilitate decision-making among the various relevant actors at the central level but also ensure that clear guidance, follow-up actions, and information flow smoothly between those actors and regional and/or local coordination bodies".[10] National authorities must ensure that local authorities have the necessary resources and expertise to function efficiently and are not overburdened during the response.

5. Interaction with international actors

69. Once internal displacement occurs, authorities can be quickly overwhelmed and can lack resources to respond adequately to the immediate needs. The international community has a complementary role, providing assistance to those in need where States are unable to do so. It is essential that Governments recognize their need for international assistance and facilitate that assistance as quickly as possible. This requires granting full access to humanitarian assistance to all regions affected by displacement and all communities of internally displaced persons. Barriers or restrictions have sometimes been imposed, in particular in conditions of conflict, which can jeopardize the protection of internally displaced persons.

70. During times of emergency, coordination is critical to minimize gaps and overlaps in the delivery of assistance by humanitarian organizations. The cluster approach was introduced in 2005, after the reform of the humanitarian agenda,

[10] ECOWAS and UNHCR, "Responsibility to respond to internal displacement in the ECOWAS region: case studies of Côte d'Ivoire, Liberia and Nigeria" (March 2015).

notably to enhance the response to the specific needs of displaced populations.[11] The cluster system has been used in more than 30 countries and allows both United Nations and non-United Nations organizations to participate. It is essential that Governments be included in the cluster system and participate in relevant meetings so that once Governments are ready, the response can be handed over to them and the cluster system can step down.

71. In the case of the Philippines, the Government replicated its own cluster system within its emergency management mechanisms. As noted in a Brookings Institution-International Organization for Migration (IOM) study, specific clusters were established, largely in line with clusters established at the global level by the Inter-Agency Standing Committee,[12] and both government leads and international co-leads were identified.

D. Governance to support durable solutions for internally displaced persons

72. While the initial and early crisis stages of the response to displacement require certain actions and governance responses, as displacement becomes more protracted, the response from national authorities must transition to address and respond to ongoing and future needs, in full conformity with the human rights of internally displaced persons. A full assessment must therefore be made of the evolving internal displacement scenario that includes the likelihood and possibility of return to original locations, taking fully into account the wishes and intentions of internally displaced persons and the need to ensure durable solutions. This is essential to put the necessary policy, programme and institutional structures and responses in place.

73. What must be clearly understood is the long-term need for dedicated attention to internally displaced persons and that governance of displacement issues does not end with the physical return or relocation of the internally displaced. Regrettably, it is often assumed by national authorities that return, the closure of camps or cash payments constitutes durable solutions and end the Government's responsibilities towards internally displaced persons; this is not the case.

74. According to the Inter-Agency Standing Committee Framework on Durable Solutions for Internally Displaced Persons, a durable solution can only be achieved when internally displaced persons no longer have any specific assistance and protection needs that are linked to their displacement and can enjoy their human rights without discrimination on account of their displacement. A durable solution can be achieved through either (a) sustainable reintegration at the place of origin (return); (b) sustainable local integration in areas where internally displaced persons take refuge (local integration); or (c) sustainable integration in another part of the country (settlement elsewhere).

[11] For more information on the cluster system, see www.humanitarianresponse.info/fr/coordination/clusters/what-cluster-approach.

[12] Angela Sherwood and others, *Resolving Post-Disaster Displacement: Insights from the Philippines after Typhoon Haiyan (Yolanda)* (Washington, D.C., Brookings Institution and IOM, 2015).

1. Working group or task force on durable solutions

75. National authorities should establish effective and accountable mechanisms, such as a working group or task force, with responsibility for overseeing and supporting programmes for durable solutions. These mechanisms should be composed of different groups of internally displaced persons, line ministries and relevant governmental and international technical agencies, such as development actors, and representatives of the international community as well as local authorities. They should be responsible for developing and implementing legal and policy frameworks and strategies in support of durable solutions and should monitor the extent to which the solution chosen by internally displaced persons, i.e. return, local integration or resettlement elsewhere, has been achieved.

76. During his country visit to Serbia, including Kosovo, the Special Rapporteur recommended that the Government establish a governmental protection working group to implement durable solutions, which should include the Commissariat for Refugees and Migration, the Office for Human and Minority Rights, relevant government line ministries, bilateral and multilateral partners and representatives of internally displaced persons (A/HRC/26/33/Add.2). He notes that the protection working group still has not yet been established and therefore reiterates his recommendation to the Government.

2. Sectoral structures

77. The Inter-Agency Standing Committee Framework sets out eight benchmarks to help determine the extent to which a durable solution has been achieved. Working groups or task forces on durable solutions should use these criteria to monitor progress towards achieving durable solutions. The benchmarks are the following: safety and security; adequate standard of living; employment and livelihoods; restoration of housing, land and property; access to documentation; family reunification; participation in public affairs; and effective remedies, including access to justice.

78. While specific mechanisms in support of durable solutions would lead on the matter, the Special Rapporteur notes that a number of other structures with sectoral responsibilities, such as mechanisms focusing on housing, land and property restitution or reconciliation mechanisms, can contribute to support the search for durable solutions and can help the working groups or task forces in their work. Where possible, structures to support durable solutions should avoid duplication with pre-existing structures and durable solutions should be mainstreamed into other structures. The Special Rapporteur analyses below some structures with respect to the eight benchmarks set out in the Inter-Agency Standing Committee Framework.

79. A durable solution cannot be said to have been achieved if internally displaced persons cannot enjoy physical safety and security and cannot benefit from the effective protection of national and local authorities, including protection from the threats that triggered the initial displacement or that may cause renewed displacement. It is essential that national and local authorities pay specific attention to the protection of internally displaced persons, maintain monitoring mechanisms to ensure that internally displaced persons are not victims of further violations in their place of return, local integration or resettlement and ensure accountability by receiving complaints and addressing them. The specific protection needs of internally displaced women and girls should be given dedicated attention and it may

be useful to appoint trained gender focal points in different sectors of the police and other law enforcement bodies.

Economic, social and cultural rights

80. For durable solutions to be fully achieved, the economic, social and cultural rights of internally displaced persons must be fully respected and protected. Special measures may need to be implemented to ensure access to education, health services, livelihood opportunities, land and property rights for internally displaced persons, returnees and resettled persons on an equal basis with the non-displaced population. Local authorities have a special and ongoing role and need to work together with internally displaced persons, returnees and resettled persons to make social services more accessible to them. During his visit to Georgia in June 2013, the Special Rapporteur was informed that a revised action plan for the implementation of the State strategy on internally displaced persons 2012-2014 had been adopted. He welcomed the fact that this revised action plan contained a strong focus on socioeconomic measures for internally displaced persons. The action plan mandated a steering committee to, inter alia, support the socioeconomic integration of internally displaced persons, provide them with proper living conditions and durable housing solutions and eliminate their dependence on the State (A/HRC/26/33/Add.1).

81. Solutions to displacement cannot be considered sustainable unless internally displaced persons have equal access to livelihood and employment opportunities. The Special Rapporteur notes the value of adopting a specific policy or strategy on livelihood, in consultation with internally displaced persons themselves and relevant communities, which would address the specific needs of internally displaced persons as well as the needs and interests of displacement-affected communities. National and local authorities should provide internally displaced persons with skills-development opportunities and vocational training so that they can resume their lives and secure sustainable incomes. In Azerbaijan, the Special Rapporteur was informed that some internally displaced persons were provided with employment by the State Employment Service, while others were involved in vocational training or engaged in public works. The National Fund for Entrepreneurship Support also provided preferential loans to internally displaced persons for entrepreneurship investment projects (A/HRC/29/34/Add.1).

Housing, land and property

82. Questions related to housing, land and property are often complex and require effective management. Effective and accessible mechanisms for timely restitution of housing, land and property rights of internally displaced persons must be established for them to achieve durable solutions, regardless of the solution they have opted for. The Inter-Agency Standing Committee Framework states that "the right to restitution or compensation extends to all displaced persons — including men, women and children — who have lost ownership, tenancy rights or other access entitlements to their housing, land and property, whether they have formal or informal titles or rights on the basis of mere uncontested use or occupation ...." The Special Rapporteur also recalls the importance of States implementing the principles on housing and property restitution for refugees and displaced persons, developed by the Special Rapporteur of the Subcommission on Promotion and Protection of Human Rights, Paulo Sérgio Pinheiro (E/CN.4/Sub.2/2005/17, annex), most notably

principles 12.1-12.6 relating to national procedures, institutions and mechanisms for considering restitution claims of displaced persons.

83. As internally displaced persons' lands and properties may have been occupied by others, disputes may arise and national authorities must establish effective mechanisms to resolve them, making sure that the procedures are simplified so that they do not put an additional burden on internally displaced persons. Full consultation with and participation of internally displaced persons and displacement-affected communities in issues related to land reform are essential and key to assessing the extent to which a durable solution has been achieved. Therefore, these mechanisms must be accessible and internally displaced persons must be provided, where needed, with free legal assistance to pursue their claims. As pointed out in the Inter-Agency Standing Committee Framework: "In some cases it may be appropriate to establish special restitution and compensation mechanisms (e.g. a Land Claims Commission) while in others, existing institutions, including traditional property dispute mechanisms, may have the capacity to handle the caseload effectively and impartially."

84. During his visit to Cote d'Ivoire, the Special Rapporteur was pleased to learn that an inter-ministerial technical committee had been established to address land issues. However, it was noted that a specific government focal point on land reform issues would have been more valuable to ensure coordination of national efforts and the participation of internally displaced persons in the process (A/HRC/23/44/Add.1). During his follow-up visit in 2014, he welcomed the efforts undertaken by the Government to resolve disputes over land issues.[13]

Family reunification

85. During displacement, family members may be separated or some may go missing. In both post-conflict and post-disaster situations, national authorities have the responsibility to reunite families and to create specific mechanisms to look into the whereabouts of missing relatives. The Inter-Agency Standing Committee Framework states: "Appropriate tracing is to be undertaken at the earliest possible time to establish the fate and whereabouts of missing relatives and to inform the next of kin of progress made in the investigation and the results obtained." During his visit to Sri Lanka in December 2013, the Special Rapporteur learned that the Government had appointed a commission to investigate the fate of nearly 18,000 people who went missing during the armed conflict. He recommended that it should comply fully with international standards, work in full consultation with the families of the missing persons, extend its coverage to include missing persons/disappearances since May 2009 and make its finding and recommendations public (A/HRC/26/33/Add.4).

Documentation and participation in public affairs

86. Mechanisms to replace lost or other documents should be established at the earliest opportunity. The lack of documentation can be a major barrier to registration, free movement or the ability to access benefits and other assistance. Mechanisms should be accessible and affordable to all internally displaced persons, regardless of their displacement situation. The establishment of local or mobile

[13] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14881&LangID=E.

documentation services may be required. During his follow-up visit to Côte d'Ivoire, the Special Rapporteur called for the rapid implementation of the law on the registration of births and deaths, which provides for free-of-charge registration. This law is crucial as many children, most of them internally displaced persons, were not registered in the period following the last national elections. In addition, some 80,000-120,000 civil records were destroyed during the crisis.

87. In many cases internally displaced persons have lost their documentation or are still registered in their former places of residence. This can have a detrimental impact and can contribute to further marginalize communities, ultimately impeding their free participation in public affairs. Overcoming this situation may require special measures to be implemented before return, local integration or resettlement. For instance, in a situation where large numbers of internally displaced persons have not returned, it may be necessary to carry out voter registration and education programmes at internally displaced persons sites or to set up special polling stations. The establishment of measures to allow internally displaced persons to vote is essential to protecting their right to political participation.

Justice and reconciliation efforts

88. Effective and accessible mechanisms for justice and reconciliation should be established, with a legal mandate and the capacity to provide internally displaced persons with effective remedies for violations they may have suffered, including those committed by non-State as well as State actors. These should be geographically, culturally and economically sensitive, with simplified procedures to allow victims, regardless of their education, social status, gender and age, to pursue their claims. They should also be sensitive to specific obstacles that internally displaced persons can face, such as loss of documentation, trauma and fear of further victimization. To that end, the Special Rapporteur held joint sessions with the truth, justice and reconciliation commissions in Kenya and Côte d'Ivoire to hear testimonies from internally displaced persons during his official missions in September 2011 and July 2012, respectively.

89. In situations of conflict-induced displacement, the challenges to achieving durable solutions may also include return and reintegration of internally displaced persons to former conflict areas and communities in which different ethnic or religious groups were in conflict. In Iraq, which he visited in May 2015, the Special Rapporteur noted that the return of some minority communities to their homes would require carefully managed and monitored processes of justice, reconciliation and rebuilding of trust between communities in the short, medium and long term, which could require specially trained units, police and other public officials to avoid problems and tensions.

90. States affected by displacement should establish effective legal framework to provide fair compensation or other forms of reparation, where appropriate, to internally displaced persons for damage incurred as a result of displacement, in accordance with international standards. In certain cases, truth and reconciliation commissions have been involved in displacement issues and linkages between such mechanisms and durable solutions can be made. The mechanisms can contribute to ensuring durable solutions, notably by acknowledging and embracing internally displaced persons' narratives and experiences, fostering better relations between displaced populations and displacement-affected communities and making specific

recommendations relevant to the pursuit of durable solutions with respect to housing, land, property restitution and similar issues.[14]

91. In Sri Lanka, the Commission of Inquiry on Lessons Learnt and Reconciliation was established in 2010. Its final report, published in 2011, contains chapters focusing specifically on internally displaced persons. The Commission acknowledged that without medium- and long-term durable solutions for internally displaced persons, a sustainable and all-inclusive reconciliation process could not be achieved. During his visit to Sri Lanka in December 2013, the Special Rapporteur supported the conclusion of the Commission and its recommendation that a uniform State policy be adopted aimed at the resettlement of internally displaced persons and/or integrating them into host communities, reiterating the need to raise awareness among internally displaced persons about the options available to them and to respect their final decision (A/HRC/26/33/Add.4).

IV. Conclusions and recommendations

92. **National authorities bear the primary duty and responsibility to respond to internal displacement. Adequate institutional arrangements must be put in place at all levels in order for the response to be well coordinated and implemented. Without adequate governance structures in place and without the necessary financial resources and expertise, responses to internal displacement are likely to be ad hoc and uncoordinated. A lack of clarity concerning lines of responsibility can potentially lead to confusion and duplication of efforts and can ultimately have adverse impacts on response efforts and, consequently, on the lives of internally displaced persons and their enjoyment of their rights. It is therefore essential for States to establish effective and accountable governance structures at all levels — national, regional and local — to respond to all phases of internal displacement.**

93. **The Special Rapporteur's recommendations are informed by the Guiding Principles on Internal Displacement, the Inter-Agency Standing Committee Framework on Durable Solutions for Internally Displaced Persons and other relevant standards, including the framework for national responsibility for addressing international displacement put forward by the Brookings-Bern Project on Internal Displacement,[15] as well as his own experience of dealing with internal displacement issues in a number of countries. They should be used only as guidance tools, to be tailored to the specific national contexts and displacement situation in any country.**

94. **The Special Rapporteur recommends that States affected by internal displacement:**

(a) **Develop national legal and policy frameworks on internal displacement that set up the institutional response and clearly define the roles and responsibilities of government ministries and other bodies in response to internal displacement and put budgets in place;**

[14] Megan Bradley, "Truth-telling and displacement: patterns and prospects", in *Transitional Justice and Displacement*, Roger Duthie, ed. (New York, International Center for Transitional Justice and Brookings Institution-London School of Economics Project on Internal Displacement, 2012).

[15] "Addressing internal displacement: a framework for national responsibility" (2005).

(b) **Establish national disaster risk reduction and risk management systems which would have a specific focus on internal displacement;**

(c) **Provide training to all relevant local and subnational authorities, which are often the first to be in contact with internally displaced persons, about international standards regarding internally displaced persons and their obligations to protect the human rights and respond to the needs of internally displaced persons;**

(d) **Appoint an institutional focal point within the Government responsible for overseeing the response;**

(e) **Create an inter-ministerial or inter-agency coordination committee to ensure that there is a common understanding of the internal displacement situation and to set priority areas for each body;**

(f) **Ensure that line ministries review their sectoral laws and policies to ensure that the rights and needs of internally displaced persons and displacement-affected communities are included and adapt these laws and policies accordingly;**

(g) **Ensure that all bodies review their planning and programming under sectoral laws and policies to ensure that internally displaced persons and displacement-affected communities are able to access and benefit from such programmes on an equal basis with the non-displaced population;**

(h) **Ensure that national and local bodies have adequate financial and human resources for the discharge of their responsibilities, with the capacity to adapt and to respond to volatile and ever-changing situations;**

(i) **Strengthen support to local authorities, civil society organizations, volunteers and church groups;**

(j) **Invite the Special Rapporteur or other international mechanism with technical expertise on issues relating to internal displacement in order to benefit from technical cooperation;**

95. **The Special Rapporteur recommends that national human rights institutions, civil society and volunteers:**

(a) **Establish dedicated expertise on internal displacement, including specialist focal points, units or departments, as appropriate, to maximize their role and effectiveness in predicting, preventing and responding to internal displacement in cooperation with the Government and other national and international stakeholders;**

(b) **Establish local human rights monitoring mechanisms to ensure monitoring across the country.**

96. **The Special Rapporteur recommends that donor States:**

(a) **Assist States affected by displacement by allocating sufficient funding to support technical cooperation as well as provide other assistance needed in resource mobilization;**

(b) **Continue to support humanitarian and development organizations, non-governmental organizations and international non-governmental organizations working on internal displacement issues.**

97. **The Special Rapporteur recommends that the international community:**

(a) **Provide technical cooperation to States affected by displacement, especially training of bodies in charge of registration, development of national laws and policies on internal displacement and issues related to land and property restitution and compensation;**

(b) **Facilitate transfer of knowledge regarding governance structures in response to internal displacement, notably by identifying good practices and lessons learned from different displacement situations;**

(c) **Assist relevant authorities by bringing to their attention early warnings of displacement and advocate for a proactive response to these warnings;**

98. **Regional human rights mechanisms should establish regional standards on internal displacement and the rights of internally displaced persons. The establishment of regional working groups or regional rapporteurs on displacement should be explored to address and monitor displacement situations in the different regions. Finally, regional mechanisms should develop practical tools to assist national authorities in their responses to displacement, including in the area of displacement management.**